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BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (C.G.)

WRIT PETITION NO. 4164 /2006

PETITIONER

O.P. Sahu, aged about 42 years, son of Shri Tulsi Ram Sahu, Cluster Academic Co-ordinator, Cluster Centre, Gudum Block Dondi, Distt. Durg (Chhattisgarh)

P.R. No. 4066/06
Presented by Shri S.S. Mishra
dated 28/7/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through - the Secretary, Department of Scheduled Caste and Scheduled Tribe Welfare, Deptt., Dau Kalyan Singh Bhawan, Raipur (C.G.)
2. Assistant Commissioner, Scheduled Caste and Scheduled Tribes Development, District Durg (Chhattisgarh)
3. District Collector, Durg (Chhattisgarh)
4. Deputy Collector, Distt. Durg (Chhattisgarh).



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28/7/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLES 226/227 OF THE
CONSTITUTION OF INDIA.

मामला क्रमांक W.P. 4164/... सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	11-8-2006 Mr. Y.C. Sharma, counsel for the petitioner. Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents, on advance copy. Heard both the counsel. By the instant writ petition under Article 226/227 of the Constitution of India, the petitioner has questioned his transfer order dated 7-7-2006 (Annexure P-1), whereby he has been transferred showing him as Assistant Teacher from Primary School, Pichetola, Gudum, Block: Dondi to Primary School, Malkunwar, Block: Dondi. Grievance of the petitioner is that the petitioner was selected as Coordinator Cluster Centre vide order dated 26-10-2002 and his name appears at serial No.2 in Annexure P-2. Last para of the said order prescribes that they will be provided training and thereafter, if the post vacated by these persons is filled up then they will be treated as regular Coordinator Cluster Centre. Therefore, the petitioner has been transferred showing his incorrect rank. In the circumstances, learned counsel for the petitioner submits that in order to bring this anomaly to the notice of respondent No.3, the petitioner may be allowed to make a detailed representation to respondent No.3 and respondent No.3 be directed to decide the same, to which learned counsel appearing for the State/respondents has no objection. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merit of	

P.T.O.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.4164/... सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	the case, the request made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation raising all his grievances annexing a copy of the writ petition and its annexures to respondent No.3 within ten days from today and respondent No.3 is directed to decide the representation within one month from the date of its receipt after considering the points raised by the petitioner, in an objective manner, on its own merits, in accordance with law. Till the representation of the petitioner is decided, the impugned order dated 7th July, 2006 (Annexure P-1), in respect of the petitioner shall remain stayed. With the directions aforesaid, the petition stands disposed of. Consequently, M.(W.)P.No.3233/2006 & I.A.No.7691/2006 also stand disposed of. Parties are entitled for certified copy of this order.	Sd/- L.C.Bhadoo Judge

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14/8/06